

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

KIMBERLY MEADOR, ET AL.,

Plaintiffs,

v.

APPLE INC.

Defendant.

Civil Action No. 6:15-CV-00715-RWS-KNM

JOINT STIPULATION REGARDING BRIEFING ON CONCURRENT CAUSATION

TO THE HONORABLE JUDGE OF SAID COURT:

I.

NOW COME, Plaintiffs Kimberly Meador, Individually and as Guardian for L.M., a Minor; Amos Standard, Individually, and on behalf of the Estate of Shari Standard, Deceased; and Russell Jones, Individually, and on behalf of the Estate of Sandra Jones, Deceased (“Plaintiffs”) and Defendant Apple Inc. (“Apple”), and hereby file this Joint Stipulation Regarding Briefing on Causation as ordered during the July 12, 2017 hearing on Defendant’s Motion to Dismiss, Dkt. No. 7.

II.

Apple filed a Motion to Dismiss on September 17, 2015 (Dkt. No. 7). Plaintiffs filed their response on October 19, 2015 (Dkt. No. 11) and Apple filed its reply on November 6, 2015 (Dkt. No. 14). This Motion was fully briefed when Plaintiffs filed their Sur-Reply on November 16, 2015 (Dkt. No. 15). On August 16, 2016, Magistrate Judge Mitchell issued a Report and Recommendation (“R&R”) granting Apple’s Motion to Dismiss with prejudice (Dkt. No. 54).

Plaintiffs filed objections to the R&R on August 30, 2016 (Dkt. No. 60), and Apple filed its response to Plaintiffs' objections on September 20, 2016 (Dkt. No. 64). Subsequently, Plaintiffs filed a "Supplement" to their objections on November 30, 2016 (Dkt. No. 66) and Apple responded on December 9, 2016 (Dkt. No. 67). On July 12, 2017, the Court held a hearing on Plaintiffs' Objections to the Report and Recommendation. At Apple's request the Court indicated it would consider additional briefing on the issue of concurrent causation. After meeting and conferring the parties submit the following briefing schedule and page limitations for the Court's approval:

Event	Deadline	Page Limit
Plaintiffs' Brief	July 21, 2017	10 pages
Apple's Response	July 31, 2017	10 pages

Dated: July 17, 2017

Respectfully submitted,

/s/ Eric H. Findlay

Eric H. Findlay

State Bar No. 00789886

Brian Craft

State Bar No. 04972020

Debby Gunter

State Bar No. 24012752

Findlay Craft, P.C.

Principal Office:

102 N. College Ave. Suite 900

Tyler, Texas 75702

Tel: (903) 534-1100

Fax: (903) 534-1137

Email: bcraft@findlaycraft.com

Email: efindlay@findlaycraft.com

Email: dgunter@findlaycraft.com

Counsel for Defendant Apple Inc.

/s/ Gregory P. Love

Gregory P. Love

State Bar No. 24013060

Love Law Firm, P.C.
P.O. Box 948
Henderson TX 75653-0948
903-690-7100
903-392-2267 (Fax)
greg@lovetrialfirm.com

Ron Adkison
State Bar No. 00921090
Adkison Law Firm
300 West Main Street
Henderson, Texas 75652
903-657-8454
903-657-6108 (Fax)

John F. (Jack) Walker, III
State Bar No. 00785167
Marisa Schouten
State Bar No. 24039163
Martin Walker, PC
121 N. Spring Ave.
Tyler, TX 75702
903-521-1600
903-595-0796 (Fax)
jwalker@martinwalkerlaw.com

Lance Lee
Texas Bar No. 24004762
Attorney-at-Law
5511 Plaza Drive
Texarkana, TX 75503
903-223-0276
903-223-0210
wlancelee@gmail.com

Counsel for Plaintiffs

CERTIFICATE OF SERVICE

The undersigned certifies that on July 17, 2017, the foregoing document was filed electronically in compliance with Local Rule CV-5(a). This Stipulation was served on all counsel by electronic filing.

/s/ *Eric H. Findlay*

Eric H. Findlay